

Exhibit A to Notice of Removal

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

VISCOGLIOSI BROTHERS, LLC,

Plaintiff, : Date Index No. Purchased:

- against -

OLYMPUS CORPORATION, OLYMPUS BIOTECH
CORPORATION and JOHN DOES 1-25,

Defendants.

**SUMMONS WITH
NOTICE**

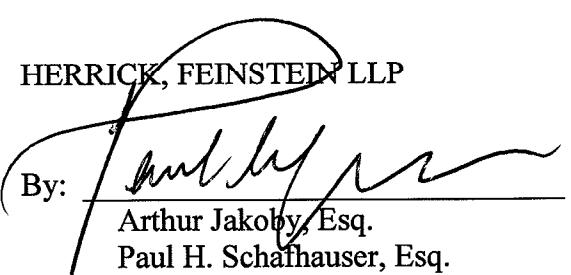
TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to appear in this action by serving a notice of appearance on the plaintiff at the address set forth below, and to do so within twenty (20) days after the service of this Summons (not counting the day of service itself), or within thirty (30) days after service is complete if the summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer or appear, a judgment will be entered against you by default for the relief demanded below.

Dated: New York, New York
October 12, 2012

HERRICK, FEINSTEIN LLP

By: 

Arthur Jakoby, Esq.

Paul H. Schafhauser, Esq.

Attorneys for Plaintiff

Two Park Avenue

New York, New York 10016

(212) 592-1400

To: Olympus Corporation
Shinjuku Monolith
3-1 Nishi-Shinjuku 2-Chome
Shinjuku-ku, Tokyo 163-0914
Japan

Olympus Biotech Corporation
35 South Street
Hopkinton, Massachusetts 01748
USA

NOTICE:

The nature of this action is (1) breach of contract; (2) breach of the implied covenant of good faith and fair dealing; (3) fraudulent inducement; (4) fraud, misrepresentation, and fraudulent omission; (5) unlawful conspiracy to defraud; (6) negligent misrepresentation; (7) tortious interference; (8) promissory estoppel and detrimental reliance; (9) unjust enrichment; (10) specific performance; (11) libel, slander, and/or defamation *per se*; (12) libel, slander, and/or defamation; (13) preliminary and permanent injunctive relief; (14) Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1961, et seq.; and (15) fees, costs, and expenses.

The relief sought includes compensatory, punitive, and treble damages, specific performance and enforcement of defendants' commitments and agreements to plaintiff, injunctive relief, pre- and post-judgment interest, attorneys' fees, costs of suit, and such other and further relief as this Court may deem just and equitable.

Should defendants fail to appear herein, judgment in plaintiff's favor will be entered by default for compensatory, punitive and treble damages, presently anticipated to total the sum of \$100,000,000.00, with interest from the date of this action and the costs of this action.

VENUE:

Plaintiff designates New York County as the place of trial in this matter. The basis of this designation is plaintiff's residence in New York County.